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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,290	12/15/2003	Minoru Tsunozaki	43888-287	1784

7590 07/28/2006

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600 13th Street, N.W.  
Washington, DC 20005-3096

EXAMINER
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CARPIO, IVAN HERNAN

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/734,290

Applicant(s)

TSUNEZAKI ET AL.

Examiner

Ivan H. Carpio

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/18/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 5/18/06 have been fully considered but they are not persuasive. The applicant's first argument is Williams does not disclose a mounting part for mounting said holder itself to another device, examiner respectfully disagrees. Looking at figure 3 we note that mounting part 94 can be used to mount the holder to any device with a projection and in this particular case is used to mount the holder to the capacitor device. The applicant's second argument is that there is no motivation to combine the heat shrinking resin tube, taught by Watanabe, with the capacitor and holder structure taught by Williams, examiner respectfully disagrees. The motivation is provided in the action and is that it would protect the capacitor from external elements causing corrosion and rust (column 2, lines 25-30). The applicant also argues that this motivation is improper because Watanabe refers to the adhesive when disclosing the benefits of rust and corrosion protection, examiner respectfully disagrees. Column 2 lines 27-30 state that "If improved rust-preventing and anti-corrosion are desired, the steel member and the resin tube may be bonded by an adhesive member", from this it is evident that the benefit of protection comes from the heat shrinking resin tube being adhered to the surface of the member, but none the less, the heat shrinking resin tube thereby making the motivation appropriate.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (US Patent 2949182) in view of Watanabe (US Patent 4643929).

With respect to claim 1 Williams teaches a cylindrical capacitor (Fig.1, element 70) and a holder (Fig. 3, element 90) for holding the capacitor, said holder comprising a capacitor holding part that has an opening (Fig. 3, element 100) at the top and that is arc-shaped in cross section and a mounting part (Fig.3, element 94) for mounting said holder itself to another device, said capacitor being held (Fig. 4, note this is only exemplary, the capacitor is held the in the same way for the holder in the embodiment of figure 3) in a sideways position in the holding part of said holder. Williams does not teach that a heat shrinking resin tube is interposed between the capacitor and holder. Watanabe teaches a heat shrinking resin tube (Fig 3, element 6) around a cylindrical body. It would have been obvious to one of ordinary skill in the art at the time of the invention to place a heat shrinking resin tube, as taught by Watanabe, between the capacitor and capacitor holder, taught by Williams, for the purpose of protecting the capacitor from external elements causing corrosion and rust (column 2, lines 25-30).

With respect to claim 2 and with all the limitations of claim 1, Williams teaches that the width of the opening (Fig. 3, element 100) of said holding part is less than twice the radius of the arc of said holding part.

With respect to claim 3 and with all the limitations of claim 1, Watanabe teaches that the heat shrinking resin tube comprises a polyolefin tube (claim 5).

With respect to claim 4 and with all the limitations of claim 1, Williams teaches that the capacitor holder can vary in size to accept capacitors of different sizes (column 2, lines 14-16), including so that the radius of the arc of the holding part of said holder is half the external diameter of the capacitor plus a range of the thickness of said resin tube before shrinking to the thickness of said resin tube after shrinking.

With respect to claim 5 and with all the limitation of claim 1, Williams teaches that the capacitor holder can vary in size (column 2, lines 14-16) therefore the heat shrinking resin tube can be shrunk so that it has sufficient thickness to substantially close the gap between the holding part and the capacitor.

With respect to claim 6 and with all the limitations of claim 1, Williams teaches that the holding part of said holder has radiating fins (fig. 3, element 96 and 98) on the outer surface.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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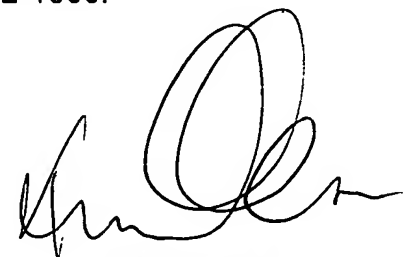
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ivan H. Carpio whose telephone number is 571-272-8396. The examiner can normally be reached on M-R 6:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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